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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,551	08/30/2000	David J. McElroy	303.615US1	1374
75	90 11/25/2002			
Schwegman Lundberg Woessner & Kluth P.A. Eduardo E Drake PO Box 2938			EXAMINER	
			· LUU, THANH X	
Minneapolis, MN 55402			ART UNIT	PAPER NUMBER
			2878	
			DATE MAILED: 11/25/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Oa/650,551		Application No.	Applicant(s)				
The MAILING DATE of this communication app are on the cover she ! with the correspondence address — THE REPLY FILED 12 November 2002. FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper Place of the process	Advisory Action	09/650,551	MCELROY ET AL.				
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a) The period for reply expires 3_months from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no evert, however, will the stuttory period for reply expire later than SM MONTHS from the mailing date of the final rejection. See MPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP Extensions of the may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and appropriate adension fee under 57 CFR 1.179(a) the date on which the petition under 37 CFR 1.136(a) and appropriate adension fee under 57 CFR 1.179(a) the calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set of toth in b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any samed patent term daybustment. See 37 CFR 1.794(b). 1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. The proposed amendment(s) will not be entered because: (a) \(\text{ they raise new issues that would require further consideration and/or search (see NOTE below); (b) \(\text{ they raise the issue of new matter (see Note below);} (c) \(\text{ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) \(\text{ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheel. 1. \(\text{ Newly proposed or amended claim(s)} \) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 1. \(he application in	THE REPLY FILED 12 November 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued						
the period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date sat forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 705.07(f). The period of time may be obtained under 37 CFR 1,136(a). The date on which the petition under 37 CFR 1,136(a) and the appropriate extension fee the been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 17 (a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in the part of the final rejection, even if timely filed, may reduce any samed patent term adjustment. See 37 CFR 1.794(b). 1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they raise the issue of new matter (see Note below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without cancelling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. Applicant's reply has overcome the following rejection(s): 4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowanc	PERIOD FOR REPLY [check either a) or b)]						
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Continuation of 2. NOTE: At least with respect to claim 16, Applicant proposes to change the scop of the claim, thereby, r quiring further consideration and/or search. In addition, Applicant's arguments are found not to be persuasive. Thus, this Advisory Action is proper.

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